

TOWN BOARD MEETING  
April 21, 2005 - 7:00 PM

The meeting was called to order by Supervisor Hundt at 7:05 p.m.

Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilman Devine	Present
Councilman Russell	Present
Councilwoman Doyle	Present
Councilman Carroll	Present
Supervisor Hundt	Present

TRANSFER OF FUNDS FOR TOWN CLERK EXPENSES

Supervisor Hundt announced that a resolution was needed for a budget transfer to cover unanticipated expenses in the Town Clerk office. She then read Resolution # 16 of 2005:

- (a) Transfer \$50 from Contingency (A00-01-1900-400) to Town Clerk conferences (A00-01-1410-400) to pay for the annual dues to the Association of Tax Receivers and Collectors.
- (b) Transfer \$100 from Contingency (A00-01-1900-400) to Town Clerk conferences (A00-01-1410-400) to cover the cost of the monthly luncheon meetings of the County Town Clerks Association.

RESOLUTION # 16 OF 2005: TRANSFER OF FUNDS FOR TOWN CLERK EXPENSES

MOTION: S/Hundt  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

HUDSONIA

Councilwoman Doyle read a resolution accepting Hudsonia's offer to map Amenia's significant habitats which will be done at no cost to the town. The resulting maps will be available in hard copy as well as GIS (Geographic Information Systems)-compatible format.

RESOLUTION # 17 OF 2005: ACCEPT HUDSONIA'S OFFER TO MAP HABITATS

MOTION: S/Doyle  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

POLICY FOR BOARD VACANCIES

Supervisor Hundt read a resolution inviting residents to apply for vacancies when they arise in the Amenia Planning Board, Zoning Board of Appeals, and Board of Assessment Review. The intent of this resolution is to ensure that vacancies on all boards are

handled in a consistent and fair manner, and to encourage citizen participation by opening up the boards to new members when a vacancy arises.

RESOLUTION # 18 OF 2005: BOARD VACANCIES

MOTION: C/Doyle  
SECOND: S/Hundt  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

OUTDOOR STORAGE, JUNK OR ABANDONED VEHICLES

Supervisor Hundt informed the public that there are two town laws regarding outdoor storage and junk and abandoned vehicles. The inconsistencies in these 2 laws have been a source of trouble for years. Michael Hayes and Nancy Brusie have worked to resolve this situation by replacing the two existing laws with a new law: Chapter 82 of the Code of the Town of Amenia Outdoor Storage and Junk or Abandoned Vehicles. Councilman Devine applauded the town attorney and Nancy Brusie and said that the new law would be a big step forward for the town. Supervisor Hundt then read the Notice of Public Hearing to be held on May 19 at 7:00.

RESOLUTION TO HOLD A PUBLIC HEARING ON OUTDOOR STORAGE, JUNK VEHICLES LAW

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

The Town Clerk was instructed to advertise the public hearing in the official newspapers of the town.

MOTION TO GO INTO EXECUTIVE SESSION

At 7:25 the board went into executive session:  
MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

MOTION TO RETURN TO REGULAR MEETING

At 8:45 the board returned to regular meeting:  
MOTION: S/Hundt  
SECOND: C/Carroll  
ROLL CALL: C/Carroll - AYE                      C/Devine - AYE  
                  C/Doyle - AYE                      C/Russell - AYE  
                  S/Hundt - AYE  
MOTION CARRIED 5 to 0.

DUTCHESS COUNTY COMMUNITY ACTION PRESENTATION

Maureen Lashlee gave a PowerPoint presentation which detailed the needs of an "average" family making \$25,000 a year and the various services that might be available to them through Community Action and other service providers. She pointed out that the needs of the working poor in the eastern part of the county differ from the

rest of the county in at least one significant way: a car is needed to get to work in the eastern part of the county where there is little or no public transportation available. She then listed some of the many services provided by Community Action, everything from home weatherizing assistance and plant-a-row projects for gardeners to food stamp screening and the donated vehicle program. Finally, Ms. Lashlee thanked Amenia for their local share match that helps to support these vital programs.

#### RAIL TRAIL PARKING ON OLD ROUTE 22

A parcel of land owned by the State at the intersection of Lower Powderhouse Road and old Route 22 has been suggested as an ideal parking lot for Rail Trail users, with a capacity of 50 - 60 vehicles. Michael Hayes is satisfied with the draft permit provided by the NYS DOT, which would be on a month-to-month basis. As a peremitee, the town would not be responsible for any prior contamination or pollution on the property. Responding to a question from Councilman Carroll, the town attorney advised that the town use caution in moving any material (e.g. dirt pile) on the property. If the town creates any pollution, then the town is liable even if prior state approval was obtained. Supervisor Hundt suggested that we have a meeting with DOT to clarify exactly what the town can do on the property. Councilman Carroll was asked to set up the meeting. It was also noted that the entrance and exits paths into the area should be narrowed (perhaps with shrubs) to provide safety. Once these issues have been resolved, we can go ahead with the project, according to the town attorney.

#### BUILDING INSPECTOR / FIRE INSPECTOR - MAXON MILLS

Mike Segelken reported that the Maxon Mills summary engineering report has been submitted with some concerns noted. The final engineering report is expected next week. Once it has been reviewed and all parties have met to discuss the priority of doing things, a building permit can be issued.

#### MOWING BIDS

The board opened the six (6) mowing bids that were received. After review and discussion, it was moved to award the mowing contract to the lowest bidder, Voorhees Tree and Ground Maintenance of

Wassaic, for \$9,500. Councilman Devine commented that Voorhees had won the bid last year and had a good track record.

#### AWARD MOWING BID TO VORHEES TREE AND LAWN SERVICE

MOTION: C/Doyle  
SECOND: C/Russell  
ROLL CALL: C/Carroll - abstain C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - abstain  
MOTION CARRIED 3 to 0 with 2 abstentions.

#### BOARD OF ASSESSMENT REVIEW - VACANCY

Supervisor Hundt stated that she had received a letter of resignation from Marie Parker. After reading a letter from Assessor Ron Gazzoli praising Marie Parker's contributions, Supervisor Hundt moved to accept her resignation.

ACCEPT MARIE PARKER RESIGNATION

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE

MOTION CARRIED 5 to 0.

Because the annual Board of Assessors Review training is scheduled for May 10 and 11, it is necessary to fill the vacancy immediately. Therefore, the standard application and interview process will be bypassed this time. Councilman Carroll moved to appoint Una Couture to fill the vacancy.

APPOINT UNA COUTURE TO FINISH MARIE PARKER'S TERM (ENDS 9/30/2006)

MOTION: C/Carroll  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE

MOTION CARRIED 5 to 0.

RECREATION COMMISSION/COMMITTEE

Supervisor Hundt commented that in order to reactivate the Recreation Commission it is first desirable to dissolve the Recreation Committee which has become redundant.

DISSOLVE RECREATION COMMITTEE

MOTION: S/Hundt  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE

MOTION CARRIED 5 to 0.

The next order of business was to appoint the members to the Recreation Commission. However, there was some confusion about this process. In the end, it was learned that each member must be appointed to fill a specific vacancy, which has a specific (staggered) term of office. Since the various candidates for membership had not specified what term of office they were willing to accept, it was decided to postpone the appointments until a special Town Board meeting on May 3. At that time, the new members will be appointed and they will then elect their officers.

Councilman Carroll noted that two high school students want to be on the Recreation Commission as liaisons to the high school: Mark Smith and Tom Houdack (spelling????). Supervisor Hundt mentioned that she had received the guidelines from the Millerton Recreation commission and Michael Hayes said that something like that would be a good idea for Amenia.

GRANT WRITER

Supervisor Hundt reminded everyone that over the years Amenia had been awarded many grants. Councilwoman Doyle has been managing many of these grants but is no longer available to do so. Since money has been budgeted for a grant writer, it was moved that the Town Clerk be authorized to advertise for the position in the

three official newspapers for two weeks. The ad is to read "salary commensurate with experience" rather than state a specific dollar amount.

ADVERTISE FOR GRANT WRITER / ADMINISTRATOR

MOTION: S/Hundt  
SECOND: C/Doyle  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

SALT SHED UPDATE

Supervisor Hundt reported that the contracts for the plans had gone out. Councilwoman Doyle explained that although the estimate from Morris Associates was higher than expected, the bids for the individual items may come in lower. The Morris Associates estimate was done to give the town an overview of the scope of the project, not an exact price. Morris Associates is also recommending soil test borings to ensure that the slab can hold the weight of the salt. Supervisor Hundt has contacted State Senator Leibell to see if we can get more money from the grant.

MILLERTON REC PROGRAM STAFF

Councilman Carroll requested that Amenia help Millerton by running a classified ad in the Harlem Valley Times for waterfront and other staff for the Millerton summer recreation program. Since the application deadline is May 1, the ad will run for only one week.

AUTHORIZE AD FOR MILLERTON SUMMER RECREATION PROGRAM STAFF

MOTION: C/Carroll  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

RECREATION PLAN

Councilwoman Doyle opened a discussion about the Recreation Plan that John Ryan was hired to do. Mr. Ryan has submitted a modified proposal to focus on just two sites - Wassaic Park and Beekman Park. There was some disagreement among town board members with some wanting to see a comprehensive Recreation Plan while others preferred to let John Ryan do a limited plan for just two fields, as his original contract specified. It was also mentioned that Webutuck School had their own plan, which the town could probably use. Finally, it was decided to discuss the issue with John Ryan at the special meeting on May 3. Michael Hayes added that, from his point of view, a comprehensive Recreation Plan would be easier to defend against a developer's lawsuit.

GIS TRAINING

GIS training will take place on Wednesday April 27 at 1:00.

MAY POPPY MONTH PROCLAMATION

Supervisor Hundt read a proclamation declaring May as Poppy Month and permitting the Veterans of Wars to sell poppies in town.

PROCLAMATION FOR MAY AS POPPY MONTH

MOTION: S/Hundt  
SECOND: C/Devine  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

TOWN BOARD MINUTES APPROVAL

The minutes of the regular Town Board meeting on March 17, 2005 were approved as amended by Councilwoman Doyle. The minutes of the Town Board special meeting on April 4 were approved as submitted.

APPROVE MINUTES OF TOWN BOARD MEETINGS OF MARCH 17 AND APRIL 4

MOTION: S/Hundt  
SECOND: C/Russell  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

ANNOUNCEMENTS

Supervisor Hundt made the following announcements:

1. The Harlem Valley Rail Trail Association is having a fund raising trail-a-thon on Saturday April 23.
2. Councilman Russell was thanked for framing the proclamation from the Dutchess County Legislature for Amenia's 300<sup>th</sup> anniversary.
3. Judy Carlson, Woody Cohen, and the Amenia Historical Society were thanked for the World War II Civilian War Effort display on the Town Hall bulletin board.

AFFORDABLE HOUSING COMMITTEE

Councilwoman Doyle moved to appoint the following people to the Affordable Housing Committee (no terms): Elizabeth Whaley, Dorothy Burkfeld, Sue Gregory, and Alison Hale.

AFFORDABLE HOUSING COMMITTEE APPOINTMENTS

MOTION: C/Doyle  
SECOND: S/Hundt  
ROLL CALL: C/Carroll - AYE C/Devine - AYE  
C/Doyle - AYE C/Russell - AYE  
S/Hundt - AYE  
MOTION CARRIED 5 to 0.

TOWN CLEAN-UP

Councilwoman Doyle thanked the volunteers who helped to clean-up the downtown section of Amenia out to the Immaculate Conception Church. She also suggested a 'dump amnesty' day for certain sections of the town because some of the litter is on private property. A special thanks to Maryann Pitts for planting the pansies in front of town hall.

On Saturday May 7 there will be a clean-up of Wassaic starting at 9:30 at the firehouse. Due to the steep terrain, children under 12 should not participate. Councilman Devine reminded everyone that the Lions Club cleans DeLaverne hill several times a year. There was general agreement that the downtown area should be

cleaned at least twice a year. Councilman Russell shared his son's positive experience with the clean-up and the good feeling that is generated when people get together to do something positive.

#### TOWN CLERK STATUS REPORT

Town Clerk Gail Hermosilla gave a monthly status report for March (attached).

#### GIS MAP PRINTING FEE

Councilwoman Doyle proposed a fee structure for printing GIS maps: \$1 for the small map (8 ½" x 11"), \$1.50 for the legal size (8 ½" x 14"), and \$2.50 for the large size (13" x 19"). These fees will be paid to the Town Clerk. The Town Clerk is working with the NYS Comptrollers Office to determine the proper way to collect fees when the Town Clerk Office is closed.

#### SET FEES FOR PRINTING GIS MAPS

MOTION: C/Doyle

SECOND: C/Russell

ROLL CALL:	C/Carroll	- AYE	C/Devine	- AYE
	C/Doyle	- AYE	C/Russell	- AYE
	S/Hundt	- AYE		

MOTION CARRIED 5 to 0.

#### CONSERVATION ADVISORY COMMISSION (CAC)

Elizabeth Whaley gave a detailed report on the recent activities of the CAC. (attached).

#### COMPREHENSIVE PLAN REVIEW COMMITTEE

Dolores Holland gave an update on this committee's activities (attached).

#### SUPERVISOR'S REPORT

1. Peter Riva has handed over all material to the new webmaster.
2. Supervisor Hundt has met with the attorney who is working on the Old Amenia Landfill clean-up project. The next step is to go to the DEC to get funding help.
3. The contract for the property revaluation project has been updated. Millerton had some problems that Amenia hopes to avoid.
4. Wassaic sidewalk project may start next week, at the Highway Department's part.
5. Some old trees were removed from Mygatt Road area because they were seriously rotted.
6. Highway Department is working to remove the sand from the streets.

#### PUBLIC COMMENT

1. Henry Pollinger, Route 22 next to Immaculate Conception Church.

Mr. Pollinger went through the history of events that led up to the existence of four large housing 'modules' on the empty lot next to the Immaculate Conception Church. In 2003, the owner of the property applied for a special use permit for a 4-unit project on a lot that was zoned for 2-family. One public hearing was held at which many issues were raised (traffic, parking, sewers, blind spots, etc.) After that, there was never a notice sent to the neighbors about another public hearing. Nonetheless, the special use permit was issued about a week later, October 2003. Mr. Pollinger complained that the neighbors really never got answers to their questions, yet the application was approved.

Councilwoman Doyle explained that the Zoning Board of Appeals (ZBA) tried to do their best in this case. Because the public hearing was kept open, there was no requirement to re-notify the neighbors. Zoning Enforcement has also been stepped up recently.

Councilman Devine tried to clarify the situation by stating that once all criteria are met, the ZBA has no choice but to allow a permit to be granted. Supervisor Hundt invited Mr. Pollinger to come in and talk to Nancy Brusie in the zoning enforcement office.

2. Theresa Walsh.

Mrs. Walsh has been living on Depot Hill Road since 1964 and she asks: "where is the zoning?" She then related a story of a dangerous incident of a truck rolling and hitting a tree. There are about 20 children on Depot Hill and safety is an issue.

ADJOURNMENT

The motion to adjourn was voted for unanimously.

Meeting was adjourned at 11:30 p.m.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk

C:\Town Clerk\minutes\2005-04-21.doc, 5/2/05



Town Clerk Monthly Status Report for March 2005  
Presented April 21, 2005

March was a busy month in the Town Clerk office.

Monthly Activity:

Dog licenses	15
Marriage licenses	2
Death certificate copies	26
Zoning books	6
Misc copies	226
Transfer station permits	24
Transfer station coupon books	140

FOILs

We received 18 new FOIL requests in March.

Fishing Licenses / DEC

The good news is that the Town Clerk is now a NYS Dept of Environmental Conservation 'agent' and can issue fishing and hunting licenses. The bad news is that the decals bank account is overdrawn by \$78.75 as a result of transactions that took place in October 2004. Patty and I are currently working with DEC to resolve this complex situation.

Peddler Permit – Tina Murphy

Tina Murphy's request for a Peddler's Permit is still outstanding. After consultation with the town attorney, I notified her that she needs to provide a letter of permission from DDSO to park her vehicle on their property. Once this letter has been received, the license will be issued.

Saturday use of Town Hall bathrooms

The Harlem Valley Rail Trail Assoc has requested use of Town Hall bathrooms for volunteers for the rail trail event on Saturday April 23. The Town Clerk office will be open during that time (9:00 to noon).

Games of Chance

The Amenia Fire Company has requested permission for their annual July Carnival. Unfortunately, we could not locate their application form from last year. This caused them extra work. This underscores the need to organize the records in the Town Clerk office.

CPA

This past Tuesday, we met with a CPA who was able to reconcile our tax account to both the bank statement and the BAS software tax system. Then I worked with him to develop a procedure so that I could do the monthly reconciliation in the future. Once this is operational, we will still need some third party to do a reconciliation several times a year. It is not good accounting practice to have the accounts reconciled by the same person (or office) that does the original entry.

Astor Early Childhood Program

[read letter]

New Town Clerk Office Hours

The Town Clerk Office will be moving to new hours in May. In the recent past, we have been open every Saturday which is a very nice service to the community, and I wish we could continue it. Unfortunately, with only one deputy clerk and myself, it is impossible to be open every

Saturday. Furthermore, of the 22 Town Clerk offices in Dutchess County, only two have Saturday hours [Beekman is open one Saturday a month and Northeast is open two Saturdays a month]. Therefore, starting in May, we will be open on the third Saturday of the month. We will extend hours on Tuesday and Wednesday until 4:00. These extended hours will be helpful if people need to pay for GIS copies during the regular work week.

This new schedule will increase the hours by 1 hour per week. We will also be available at other times by appointment to meet people's special needs. The new hours will be posted in the newspapers and on Cable TV.

Current schedule:

Monday	9:00 – 2:00		5
Tuesday	9:00 – 2:00		5
Wednesday	9:00 – 2:00		5
Thursday	9:00 – 2:00	5:00 – 7:30	7.5
Saturday (every)	9:00 – 12:00		<u>3</u>
			25.5 hours per week - old

New schedule:

Monday	9:00 – 2:00		5
Tuesday	9:00 – <b>4:00</b>		<b>7</b>
Wednesday	9:00 – <b>4:00</b>		<b>7</b>
Thursday	9:00 – 2:00	5:00 – 7:30	<u>7.5</u>
			26.5 hours per week - new
<b>3<sup>rd</sup> Saturday</b>			
of the month	9:00 – 12:00		3 hours

Update for Amenia Comprehensive Plan Review Committee  
Dolores Holland

The committee has worked for more than a year and has come a long way.

We still have a lot to do, but everything is beginning to fall into place and we're very pleased with the Zoning Code draft that our City Planner Joel Russell gave us 2 weeks ago.

We feel very confident with both his knowledge and experience and also his careful attention to details. Since he is also a Land Use Attorney, everything complies with the most current existing town laws.

The committee is now reviewing the Amenia Zoning Code and has invited George Fenn, the Planning Board Chair and Nancy Bruise, the Zoning Enforcer Officer to sit in with us during this review process.

We do not have a time line for completion as yet, but are aiming for the fall.

Before that, the committee will hold Public meetings so we can get their final input before presenting the Comprehensive Plan & Zoning Code to the Town Board for final approval.